

**United States Court of Appeals**  
**FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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**No. 12-1021****September Term, 2014**

FILED ON: JULY 10, 2015

VENETIAN CASINO RESORT, L.L.C.,  
PETITIONER

v.

NATIONAL LABOR RELATIONS BOARD,  
RESPONDENT

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Consolidated with 12-1076

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On Petition for Review and Cross-Application for  
Enforcement of an Order of  
the National Labor Relations Board

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Before: BROWN, KAVANAUGH, and WILKINS, *Circuit Judges*.

**J U D G M E N T**

These causes came on to be heard on the petition for review and cross-application for enforcement of an Order of the National Labor Relations Board and were argued by counsel. On consideration thereof and in accordance with the opinion of the court filed herein this date, it is

**ORDERED** and **ADJUDGED** that the petition for review be granted, the Board's order be vacated and the cross-application for enforcement be denied. Because the Board failed to address whether the Venetian's petition was a sham, the case is hereby remanded so that the Board may consider that question in the first instance.

**Per Curiam**

**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/  
Ken Meadows  
Deputy Clerk

Date: July 10, 2015

Opinion for the court filed by Circuit Judge Kavanaugh.